

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

Prison Department – Appeal Petition filed by Sri K.Dhanaraj, formerly Superintendent, District Jail, Adilabad – Appeal Petition partly allowed – Orders – Issued.

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**HOME (PRISONS.A) DEPARTMENT**

**G.O.MS.NO. 180**

**DATED:11-07-2011**

**Read the following:-**

1. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Proc. No.EB3/ 436/ 2008, dated 11-08-2008
  2. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Memo No.EB3/436/ 2008, dated 12-09-2008.
  3. From Sri K.Dhanraj, formerly Superintendent, District Jail, Adilabad, Explanation, dated 20-11-2008.
  4. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Proc.No.EB3/436/ 2008-Vol-II-1 & 2, dated 06-01-2009
  5. From the Enquiry Officer, Letter No.PACCh/S/2816/2009, dated 02-07-2009.
  6. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Proc. No.EB3/436/2008, dated 24-12-2010.
  7. Sri K.Dhanraj, formerly Superintendent, District Jail, Adilabad, Appeal Petition, dated 19-01-2011.
  8. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Letter No.EB3/69/2011, dated 23-02-2011.
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**O R D E R:**

Certain irregularities were found in District Jail, Adilabad in the maintenance of records, stores and payments during the tenure of Sri K.Dhanraju, the then Superintendent. Based on the report of the Special audit team, in regard to failure to comply with the Financial Rules and Codal Provisions as well as Government instructions and some irregularities and misappropriation of Government funds, the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, vide reference 1<sup>st</sup> read above, has ordered placing Sri K.Dhanaraju, the then Superintendent, District Jail, Adilabad under suspension. Subsequently, disciplinary proceedings were initiated, duly framing article of charges against him vide reference 2<sup>nd</sup> read above. Then, after due procedure, viz explanation of the charged officer, examination of the report submitted by the Enquiry Officer and representation thereon of the Charged Officer, the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, has issued orders vide reference 6<sup>th</sup> read above, imposing the penalty of “DISMISSAL FROM SERVICE”, with immediate effect, for the charges held proved.

P.T.O.

2. Aggrieved by the orders, Sri K.Dhanraj, formerly Superintendent, District Jail, Adilabad, has filed an Appeal Petition to the Government, under Rule 33 of the A.P.Civil Services (CCA) Rules, 1991, wherein he pleaded that mere signing in the registers as the authority, the entire blame cannot be reflected against him for the procedural irregularities. He has also contended that he joined Government service in the year 1982 and since then he had discharged his legitimate duties to the utmost satisfaction of his superiors and never gave any scope for any lapses on his part, and it is the first time, such charges were leveled against him, that too without any valid grounds and without any evidence. During all these 28 years of service he has a clean track record. Prior to 'Dismissal from Service', he was continued under suspension for about (27) months and he was paid the subsistence allowance of only 50%. Hence, he has requested the Government to set-aside the penalty of "Dismissal" orders issued by the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, and pass appropriate orders as he was experiencing lot of financial and mental hardships.

3. After careful examination of the Appeal Petition filed by Sri K.Dhanraj, formerly Superintendent, District Jail, Adilabad, in consultation with Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, and perusal of the relevant records, it was observed that none of the articles of charges leveled against the appellant attributes the quantum of amount misappropriated by him or misuse of funds. The appellant's contention that the temporary receipt given by him to his successor which was also accepted by his successor, should not be treated as amount misappropriated, as it had to be adjusted with vouchers to be claimed is accepted. Advance vouchers do exist in every prison institution which could be made good from the concerned in case not adjusted. Further, assessing amount of shortage as Rs.31,568/- after 44 days of his relief despite the fact that the successor reported a shortage of Rs.27,533/- is not only illogical but also irregular. Other irregularities reported are solely procedural in nature, which generally occur due to claiming of bills to avoid lapse of funds which are but common in any Government Institution. Moreover, the petitioner alone should not be made responsible for the wrong entries in Stock Registers and Gate Registers. The claim that the omissions and commissions took place due to dislocation of work due to shifting of jail also cannot be ruled out.

4. Government, have examined the matter carefully and felt that this is only a supervising lapse in respect of Sri K.Dhanraj, formerly Superintendent District Jail, Adilabad, and the penalty of dismissal from service issued by the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, is not proportionate to the gravity of the charges held proved against the Appellant. Hence, the Government, decide to modify the penalty of dismissal from service issued by the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, vide Proc., 6<sup>th</sup> read above.

5. Accordingly, the Government, in exercise of the powers conferred under Rule 33 of the A.P.Civil Services (CCA) Rules, 1991, hereby allow the Appeal Petition, partly, duly modifying the penalty of "DISMISSAL FROM SERVICE" imposed by the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, vide reference sixth read above, to that of "Reduction in Time Scale of Pay by two (2) stages, permanently, with cumulative effect", and treating the period of suspension and out of employment as " NOT ON DUTY".

6. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, shall take necessary action accordingly, in the matter. He is also requested to take necessary steps to recover the loss caused to Government proportionately after due verification from the concerned responsible persons.

7. The following original records received from the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, vide reference eighth read above are returned herewith. He is requested to acknowledge receipt of the same:-

1. File containing (732) pages ... Volume-I
2. File containing (442) pages ... Volume-II
3. File containing (558) pages ... Volume-III
4. File containing (566) pages ... Volume-IV

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.P.ACHARYA,  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad. (with original records)

**Copy to:**

The individual concerned,

through the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

The Additional Inspector General of Prisons, Hyderabad.

The Deputy Inspector General of Prisons (TR), Hyderabad.

The Deputy Inspector General of Prisons (CAR), Rajahmundry.

The Director of Treasuries & Accounts, A.P., Hyderabad.

SF/SCs.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**